

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Case No. 2:05-cv-00531-MMD-GWF

ORDER

This matter is before the Court on Plaintiff's Motion to Strike (ECF No. 542), filed on July 18, 2017. To date, Defendant Gary Thomas has not filed an opposition to this motion and the time for response has now expired.

Plaintiff requests that the Court strike Defendant Thomas' Response (ECF No. 539) to Plaintiff's Memorandum in Support of Motion to Establish a New Installment Payment Plan as untimely. Plaintiff filed its Memorandum (ECF No. 536) on June 13, 2017. Defendant requested an extension until July 5, 2017 to file his response (ECF No. 537) and the Court granted his request. ECF No. 538. On July 7, 2017, Defendant manually filed his Response. ECF No. 539. The Court has discretion to accept a late filing and Plaintiff does not show any prejudice caused by the delay. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Strike (ECF No. 542) is **denied**.

DATED this 4th day of August, 2017.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge